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REMARKS

Amendments are made to the claims as follows. Claim 52 is re-presented as an independent claim to remove the objection to allowance stated in the office action mailed May 3, 2007. Two limitations in the base claim (21) and the intervening claim (22) have been deleted; they were previously added by amendment in an attempt to distinguish Zahradnik but the examiner found them unpersuasive. Those two limitations are (1) "before use in water to suppress noise in the marine seismic survey;" and (2) "allowed to set." The deleted limitations played no role in providing antecedent basis for dependent claim 52. New dependent claims 53-55 are claims 44-46, and new dependent claims 58-60 are claims 47-49 with the only change being the number of the claim depended from. New claims 56 and 57 are supported by the last two sentences of paragraph 38 of the application. Claim 61 is a new independent claim directed at the sprayed topcoating embodiment of the invention, which is supported by paragraph 38, particularly the last sentence. New dependent claims 62-69 are claims 53-60, changed to depend from claim 61 instead of claim 52.

New independent claims 70, 79 and 83 are all directed to embodiments of the present invention where topcoating is accomplished by dunking the diffuser in a container of additive, as generally described in paragraph 38, last sentence. Each of these claims is drafted so as not to read upon Zahradnik's activities, even under the strained (and the applicants believe unreasonable) interpretation that Zahradnik's technique with its extreme dilution can be characterized as topcoating by dunking. In claim 70, the additive is undiluted or dissolved in alcohol, as in examples given in the application where the solvent is ethanol (e.g., first sentence of paragraph 38). Zahradnik discloses only additives dissolved in water (aqueous solutions); see, for example, the first sentence of his abstract. Furthermore, the solvent *must* be water for the examiner's purpose since he must combine Zahradnik's laboratory tank with Behrens's method for exploration in a marine environment. Dependent claims 71-78 are again patterned closely after claims 53-60, as supported by paragraph 38, with the exception of claim 74, which is supported by said examples of ethanol as diluent. New independent claim 79 is the same as claim 70 except allowable solvents are broadened from alcohol to any substance that will dissolve the additive except water,

based on the "suitable solvent" language of the last sentence of paragraph 38 plus the known fact that many (e.g., Exxal-13, octanol, Pluronic-L81, Exxal-8 and Exxal-9) of the coating additives of the present invention are known to be insoluble or only slightly soluble in water, which should not be surprising inasmuch as it is obviously advantageous for the coating to remain on the diffuser surface as long as possible while immersed in water during a survey. This of course is a factor that Zahradnik is not concerned about because his objective is not to top coat the diffuser surface.

Independent claim 83 is a third independent dunking claim (in addition to claims 70 and 79), with the different feature being that the solvent can be any substance that in fact is a solvent for the additive, with the concentration of the additive in the solution being at least 25 wt %. Support for this claim is the "suitable solvent" language of the last sentence of paragraph 38 plus the sixth sentence from the end of paragraph 45 disclosing a 25% solution plus other references (e.g., paragraph 38) disclosing 50 % solutions. By contrast, a 25 wt % solution is about 10,000 times more concentrated than the highest concentration of his bubble coalescence retarding additives tested by Zahradnik after converting his mole fraction numbers to weight percent. Dependent claims 84-86, like dependent claims 80-82, are patterned after claims 53-55, consistent with limitations in their respective independent claims.

All pending claims with claim number below 52 are cancelled.